



Dkt. No. 96700/596

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jan Geliebter, George J. Christ, Arnold Melman and Jamil Rehman
Serial No. : 09/531,969
Filed : March 21, 2000
For : GENE THERAPY FOR REGULATING SMOOTH MUSCLE
Examiner : Not yet assigned

**COMMUNICATION IN RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

"Express Mail" mailing label no. EL632296569US

Date of Deposit: November 9, 2000

I hereby certify that this paper or fee is being
deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service
under 37 CFR 1.10 on the date indicated above and
is addressed to the Commissioner for Patents,
Washington, D.C. 20231.

Name: Craig J. Arnold

Signature: 

In response to the Notice to File Missing Parts of Nonprovisional Application
dated June 9, 2000, Applicants enclose the following:

1. a copy of the June 9, 2000 Notice to File Missing Parts of
Nonprovisional Application (Exhibit A);
2. a Petition for Three Month Extension of Time (Exhibit B);
3. an executed Declaration for Utility Patent Application (Exhibit C);
4. a Statement Claiming Small Entity Status in the name of Ion
Channel Innovations, LLC (Exhibit D);
5. a Statement Claiming Small Entity Status in the name of Albert
Einstein College of Medicine (Exhibit E); and
6. a check in the amount of \$1027 to cover the \$355 basic filing fee,
the \$162 additional claims fee, the \$65 surcharge fee, and the \$445
three month extension of time fee, all for a small entity.

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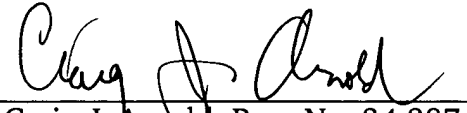
Based upon the extension of time, a response to the August 9, 2000 Notice is now due November 9, 2000. Accordingly, this response is being timely filed.

Authorization is hereby given to charge any deficiency or credit any overpayment in the enclosed fees to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicants
90 Park Avenue
New York, New York 10016
(212) 697-5995

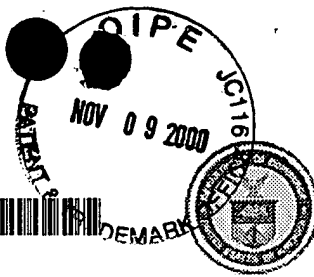
Dated: New York, New York
November 9, 2000

By 
Craig J. Arnold, Reg. No. 34,287

FORMALITIES LETTER



OC000000005167620

UNITED STATES DEPARTMENT OF
COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/531,969	03/21/2000	Jan Geliebter	96700/596

Craig J Arnold Esq
Amster Rothstein & Ebenstein
90 Park Avenue
New York, NY 10016

Date Mailed: 06/09/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$288.
 ■ \$288 for 16 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1108.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

11/15/2000 HN00R1 00000096 09531969

01 FC:201	355.00 OP
02 FC:205	65.00 OP
03 FC:203	162.00 OP